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JAN 28 2010

U.S. DISTRICT COURT IN THE UNITED STATES DISTRICT COURT
MID. DIST. TENN. FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

LaBryant King,

Plaintiff,

Vs.

CASE NO.

Governor Phil Bredesen, Tennessee
Board of Probation And Parole (herein Board),
Tennessee Department of Corrections (herein
T.D.O.C.), Commissioner George M.
Little, T.D.O.C. General Counsel Debra K.
Inglis, T.D.O.C. Legal Administrator W.G. Lutche;
T.D.O.C. Sentence Computation/Sentence
Information Director Candice Whisman, and Ben
Lindamood, Et al.,

Motion For Relief From Judgment

COMES NOW, the Plaintiff, LaBryant King, *Pro se*, in and of his own person, pursuant to
F.R.Civ.P., Rule 60(b); and respectfully moves this Honorable Court to relieve him from the
January 20, 2010, Order denying his request for Motion For Service Of Process. See [United
States District Court, Middle District of Tennessee, Civil Docket for case No. 3:08-cv-1046,
Docket Entry No. 23].

Specifically, through mistake and inadvertence this Honorable Court has clearly overlooked
and misapprehended the material fact that the Sixth Circuit Court of Appeals on December 17,
2009, ruled that "The district court improperly relied on *Periser* because King's complaint
challenges the parole procedure. He Has not sought an immediate or speedier release." More
over, this Court through mistake and inadvertence has clearly overlooked and misapprehended
the material fact that the case was remanded to this court. See [Exhibit No. 1: Order, December
17, 2009, Attached, see also General U.S. Court of Appeals for the Sixth Circuit, Court of
Appeals Docket # 08-6483, 12/17/07].

*On 1/28/10
This motion is
60(b)(1) P.D. The Clerk
shall call process
and list the further
Circuit's Orders as
remanding the
action.
Shall J.G.
J.M.
46-10*